

## REMARKS

The Office Action dated August 9, 2007 has been carefully reviewed and the following remarks are made in response thereto. Claims 55-80 are pending in the application and claims 55-76 are currently under examination. Applicants note that a preliminary amendment was submitted on February 19, 2004 in the instant application amending the specification to contain the correct related application information and priority claim. The Examiner acknowledged entry of this preliminary amendment and the amendments made to the specification in the Office Communication dated October 6, 2006 (see page 2 of the Office Communication). In addition, the correct priority information was listed on the official filing receipt mailed September 2, 2004. Therefore, the application properly claims priority under 35 U.S.C. §§119 (e), 120, and 365 (c) and is entitled to a priority date of May 23, 1994.

### **I. Rejections under 35 U.S.C. §103**

Claims 55-76 have been rejected under 35 U.S.C. §103 as allegedly being unpatentable over U.S. Patent No. 5,578,309 to Cutler *et al.* in view of Jutila *et al.* (1997 J. Exp. Med. Vol 186: 1701-1711). Applicants submit that neither of these cited references are prior art in view of the priority claim in the instant application. The instant application claims priority to the application (U.S. Application Serial No: 08/483,558) which issued as U.S. Patent No. 5,578,309. As discussed above, the instant application is entitled to a priority date of May 23, 1994, which precedes the publication date of Jutila *et al.* Applicants respectfully request that the rejection of claims 55-76 be withdrawn.

### CONCLUSION

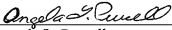
This reply is fully responsive to the Office Action dated August 9, 2007. Therefore, a Notice of Allowance is next in order and is respectfully requested.

If the Examiner has any further questions relating to this Reply or to the application in general, the Examiner is respectfully requested to contact the undersigned by telephone so that allowance of the present application may be expedited.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1283. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 CFR §1.136(a)(3).

Respectfully submitted,  
COOLEY GODWARD, LLP

Dated: 11/8/07

  
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